

FILED

MAY 27 2010

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

U.S. DISTRICT COURT
DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

:

: CR. NO.

:

V.

: In violation of

:

: 18 U.S.C. § 666(a)(1)(B)

JOSEPH S. BURCHFIELD

: 18 U.S.C. § 1951

RAYMOND L. DOUGLAS III

:

JOHN A. ZAMBARANO

:

CR 10 076-01 ML

INDICTMENT

The Grand Jury charges that:

INTRODUCTION

At all times material to this Indictment:

1. The Town of North Providence, Rhode Island (hereinafter "the Town") was a local government that received federal assistance in excess of \$10,000 during the one-year period beginning July 1, 2008 and ending June 30, 2009.

2. The Town Council ("the Council") for the Town of North Providence consists of seven Councilmen. There are two Councilmen elected from each of the three districts in the Town, and one Councilman-at-large.

3. Defendant JOSEPH S. BURCHFIELD ("BURCHFIELD") was the President of the Town Council, and thus an agent of the Town of North Providence, Rhode Island. As such, BURCHFIELD's duties included voting on, enacting, amending, repealing and enforcing ordinances or resolutions necessary and proper for the operation

of the town government and for the preservation of the public peace, health, safety and welfare of the inhabitants of the town, and granting, revoking and suspending licenses and permits.

4. Defendant RAYMOND L. DOUGLAS III ("DOUGLAS") was a member of the Town Council, and thus an agent of the Town of North Providence, Rhode Island. As such, DOUGLAS' duties included voting on, enacting, amending, repealing and enforcing ordinances or resolutions necessary and proper for the operation of the town government and for the preservation of the public peace, health, safety and welfare of the inhabitants of the town, and granting, revoking and suspending licenses and permits.

5. Defendant JOHN A. ZAMBARANO ("ZAMBARANO") was a member of the Town Council, and thus an agent of the Town of North Providence, Rhode Island. As such, ZAMBARANO's duties included voting on, enacting, amending, repealing and enforcing ordinances or resolutions necessary and proper for the operation of the town government and for the preservation of the public peace, health, safety and welfare of the inhabitants of the town, and granting, revoking and suspending licenses and permits.

6. JOHN DOE #1, whose true identity is known to the Grand jury, is an attorney with an office address in North Providence, Rhode Island.

7. JOHN DOE #2, whose true identity is known to the Grand jury, is the principal of a Rhode Island real estate

development company, (herein after "JOHN DOE #2's Company").

8. JOHN DOE #2's Company operates in interstate commerce in the acquisition, development, construction and management of office, industrial, retail, and residential properties in New England and other states.

9. At all relevant times, JOHN DOE #1 represented JOHN DOE #2's Company before the Council.

10. Beginning in approximately late summer 2008, JOHN DOE #2's Company sought to develop a Stop & Shop Supermarket at a property located on Plympton Street in North Providence, Rhode Island ("the property"). The property is an approximately six (6) acre site located across from North Providence High School, on the site of a former junkyard. The property was zoned for Commercial Professional and Residential General use.

11. In order to develop the property into a supermarket, JOHN DOE #2's Company needed the Council to amend the Town's Comprehensive Plan and re-zone the property to Commercial General use. (Said action will be referred to hereinafter as "the zoning change").

12. On Tuesday February 10, 2009, the Council held a vote on the zoning change. BURCHFIELD, ZAMBARANO, and DOUGLAS each voted in favor of the zoning change, which passed.

COUNT ONE

Receipt of a Bribe By an Agent of an
Organization Receiving Federal Funds

13. The allegations set forth in paragraphs 1 through 12 of this Indictment are realleged and incorporated by reference as if fully set forth herein.

14. On or about February 10, 2009, in the District of Rhode Island, Defendants,

JOSEPH S. BURCHFIELD;

RAYMOND L. DOUGLAS III; and

JOHN A. ZAMBARANO;

and others known and unknown to the Grand Jury, aiding and abetting each other, did knowingly and corruptly, solicit, demand, accept, and agree to accept something of value, that is, United States currency, from a person or persons known to the Grand Jury, intending to be influenced and rewarded in connection with a transaction and series of transactions of the Town of North Providence involving \$5,000 or more, that is, the zoning change.

All in violation of 18 U.S.C. §§ 666(a)(1)(B) and 2.

COUNT TWO

Attempt to Obstruct Commerce by Extortion
Under Color of Official Right

15. The allegations set forth in paragraphs 1 through 12 of this Indictment are realleged and incorporated by reference as if fully set forth herein.

16. On or about February 10, 2009, in the District of

Rhode Island, Defendants,

JOSEPH S. BURCHFIELD;

RAYMOND L. DOUGLAS III; and

JOHN A. ZAMBARANO;

and others known and unknown to the Grand Jury, aiding and abetting each other, did knowingly obstruct, delay, and affect and attempt to obstruct, delay, and affect in any way and degree commerce and the movement of articles and commodities in commerce by extortion, in that Defendants obtained property, that is, United States currency, not due Defendants or their public offices, from another person or persons, with their consent, wrongfully induced by fear of economic harm, and under color of official right.

All in violation of 18 U.S.C. §1951 and 18 U.S.C. §2.

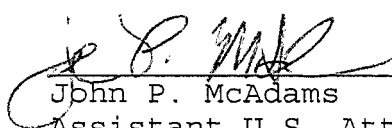
A TRUE BILL:

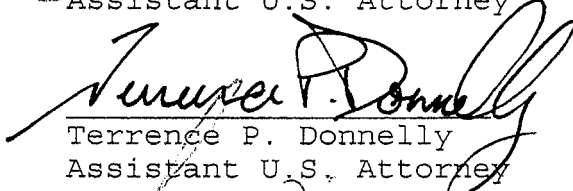
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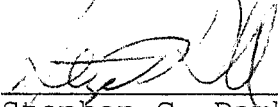
Grand Jury Foreperson

PETER F. NERONHA
UNITED STATES ATTORNEY

By:


John P. McAdams
Assistant U.S. Attorney


Terrence P. Donnelly
Assistant U.S. Attorney


Stephen G. Dambruch
Assistant U.S. Attorney
Criminal Chief

Date: _____

5/27/10